

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

MINNEAPOLIS FIREFIGHTERS' RELIEF  
ASSOCIATION, on behalf of itself and all others  
similarly situated,

Plaintiff,

vs.

BRISTOL-MYERS SQUIBB COMPANY,  
PETER R. DOLAN, and ANDREW R.J.  
BONFIELD,

Defendants.

Case No. 07-CV-5867 (PAC)

ELECTRONICALLY FILED

JEAN LAI, Individually and On behalf of All  
Others Similarly Situated,

Plaintiff,

vs.

BRISTOL-MYERS SQUIBB COMPANY,  
PETER R. DOLAN and ANDREW R. J.  
BONFIELD,

Defendants.

Case No. 07-CV-6259 (PAC)

**DECLARATION OF GERALD H. SILK IN SUPPORT OF THE MOTION OF  
ONTARIO TEACHERS' PENSION PLAN BOARD FOR (1) APPOINTMENT AS  
LEAD PLAINTIFF; (2) APPROVAL OF ITS SELECTION OF COUNSEL AS  
LEAD COUNSEL FOR THE CLASS; AND (3) CONSOLIDATION OF ALL  
RELATED ACTIONS**

I, Gerald H. Silk, declare as follows:

1. I am a member in good standing of the bars of the State of New York and of this Court. I am a partner in the law firm of Bernstein Litowitz Berger & Grossmann LLP. I submit this declaration in support of the Motion filed by the Ontario Teachers' Pension Plan Board for appointment as Lead Plaintiff, approval of its selection of Bernstein Litowitz Berger & Grossmann LLP to serve as Lead Counsel for the Class, and for consolidation of all related actions.

2. Attached as Exhibits A through E are true and correct copies of the following documents:

Exhibit A: Certification of Ontario Teachers, with attached chart of Ontario Teachers' transactions;

Exhibit B: First notice of pendency of this class action;

Exhibit C: Chart of transactions and losses (FIFO calculation);

Exhibit D: Chart of transactions and losses (LIFO calculation);

Exhibit E: Firm Biography of Bernstein Litowitz Berger & Grossmann LLP.

I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.

Executed this twenty-seventh day of August, 2007.

/s/ Gerald H. Silk  
Gerald H. Silk